

Appointment

From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 4/22/2019 4:21:59 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Bilbrey, Sheryl [Bilbrey.Sheryl@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com
Subject: FW: CONFIRMED: Meeting with Midas Gold Corp. Idaho, Call-in Number: [Ex. 6 Personal Privacy (PP)] Code: [Ex. 6 Personal Privacy (PP)]
Location: 3216 WJC-South
Start: 5/3/2019 2:00:00 PM
End: 5/3/2019 3:00:00 PM
Show Time As: Tentative

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Sent: 4/22/2019 4:21:59 PM
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Location: 3216 WJC-South
Start: 5/3/2019 2:00:00 PM
End: 5/3/2019 3:00:00 PM
Show Time As: Busy

-----Original Appointment-----

From: Bodine, Susan
Sent: Wednesday, April 17, 2019 4:28 PM
To: Bodine, Susan; Cook, Steven; Woolford, James; Mackey, Cyndy; Starfield, Lawrence; Wright, Peter; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com
Subject: CONFIRMED: Meeting with Midas Gold Corp. Idaho, Call-in Number: [Ex. 6 Personal Privacy (PP)] **Code:** [Ex. 6 Personal Privacy (PP)]
When: Friday, May 03, 2019 10:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: 3216 WJC-South

Directions and procedures to 1200 Pennsylvania Avenue NW:

Metro: If you come by Metro get off at the Federal Triangle metro stop. Exit the metro station and go up two sets of escalators to the surface level and turn left. You will see a short staircase and wheelchair ramp leading to a set of glass doors with the EPA logo - that is the William Jefferson Clinton Federal Building, South Entrance.

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Message

From: Mackey, Cyndy [Mackey.Cyndy@epa.gov]
Sent: 5/3/2019 4:02:57 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com
CC: McKenna, Elizabeth [Mckenna.Elizabeth@epa.gov]; Bilbrey, Sheryl [Bilbrey.Sheryl@epa.gov]
Subject: RE: CONFIRMED: Meeting with Midas Gold Corp. Idaho, Call-in Number: [Ex. 6 Personal Privacy (PP)] Code: [Ex. 6 Personal Privacy (PP)]
Attachments: May 3, 2019 Meeting - List of Participants.pdf

FYI

Cyndy Mackey

Director, Office of Site Remediation Enforcement
EPA-Office of Enforcement and Compliance Assurance (Mail Code-2271A)
1200 Pennsylvania Ave., N.W. (Room-WJC 5206) Washington, DC 20460
202 564-8206 (Direct Line)
202 564-5110 (Office Line)
202 591-6184 (Office Cell)

This email is for the intended recipient only and may contain material that is privileged and/or confidential. If you believe you have received this email in error, please notify the sender. Thank you

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Midas Gold - May 3, 2019

Name	Office	Phone
Ging Mackey	EPA - OECA - OSRE	202 564-8206
Laurel Sayer	MGII	208-521-2987
Don Cruden	B + D	202 789-8198
Micah BOGUE	MOH	(208) 761-4800
Helena Healy	EPA - OECA - OSRE	202 564-5124
Benjamin Lammie	EPA - OECA - OSRE	202 564 7126
Nicholas Sciretta	EPA - OECA - OSRE	(202) 564-7416
Peter Wright	EPA OHEM	(202) 566-9988
Susan Bodine	EPA - OECA	202 - 564-2440
Jim Woolford	EPA/OHEM/OSRTI	203-603-8722
Elizabeth McKenna	EPA Reg 10	On Phone
Sheryl Bilbery	EPA Reg 10	On Phone
Terry	Representing M. de	On Phone

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Sent: 4/22/2019 1:04:19 PM
To: Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com

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Sent: 5/2/2019 5:49:54 PM
To: Bodine, Susan [bodine.susan@epa.gov]; McKenna, Elizabeth [Mckenna.Elizabeth@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com; Wright, Peter [wright.peter@epa.gov]; Bilbrey, Sheryl [bilbrey.sheryl@epa.gov]
CC: Ingemansen, Dean [Ingemansen.Dean@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
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From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 4/29/2019 3:12:18 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Isayer@midasgoldinc.com; mbogert@midasgoldinc.com; JCruden@bdlaw.com
CC: Bilbrey, Sheryl [bilbrey.sheryl@epa.gov]; Ingemansen, Dean [Ingemansen.Dean@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
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From: John C. Cruden [JCruden@bdlaw.com]
Sent: 11/11/2019 10:16:29 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Wright, Peter [wright.peter@epa.gov]
CC: mbogert@midasgoldinc.com
Subject: Potential US Senator Call to the Administrator
Attachments: BDScanDoc.2.pdf

Susan and Peter

The Midas Gold team briefed you in May on the status of their planned Stibnite Mine operation in Idaho and the benefits of having Midas working to use its financial and technical resources to do necessary and long overdue targeted site remediation concurrent with its mining activities. Midas, as you know, purchased the property and was not involved in any of the prior mining activities nor have they conducted any operations on site since buying the property. Shortly after our meeting with you last May, Midas was sued by the Nez Perce Tribe who are complaining that the Company is responsible for point source water pollution in certain legacy areas of the Site, a complaint which should now be a part of an administrative order on consent.

The Project approval process continues to move forward at a sluggish but productive pace, and the Company has been advised to expect the Forest Service draft EIS next month. The Company is also in negotiations with EPA Region X on the AOC we discussed during the May meeting, and, over six months later, a schedule has now been established. The Region has agreed to provide a first draft of the AOC by Friday, November 15, 2019, and to meet with the AOC participants to discuss their comments on Friday, November 22, 2019. We are hopeful that the AOC can go final soon thereafter.

As you know, the State of Idaho has been firmly supportive of the project, and Governor Little recently wrote Administrator Wheeler asking for expedited consideration of the process. That letter is attached.

I am writing to let you know that we have been advised that Idaho US Senator James Risch has indicated to the Company that he also plans to call the Administrator in support of the project. We expect that he would emphasize some of the same topics as Governor Little did, but we wanted to let you know as we expect an incoming call to occur in the near future. The Senator is aware that you both were previously briefed on the project.

Warm Regards

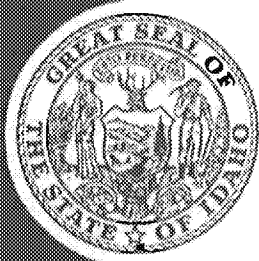
John

John C. Cruden
Principal



1350 I Street, NW, Suite 700 ~ Washington, DC 20005 ~ bdlaw.com
O +1.202.789.6018 ~ M +1. ~ JCruden@bdlaw.com

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Governor Brad Little

State Capitol :: Boise, Idaho 83720
(208) 334-2100 :: gov.idaho.gov

October 29, 2019

The Honorable Andrew Wheeler
Administrator, U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington D.C., 20004

Re: Stibnite Gold Project, Valley County, Idaho

Dear Administrator Wheeler,

I am writing to bring to your attention to an important matter related to our water quality in the State of Idaho. The U.S. Environmental Protection Agency (EPA) has an opportunity to facilitate environmental restoration at a long-standing legacy mining site known as the Stibnite Mine.

Elevated arsenic and antimony in ground and surface water sampling locations across the Stibnite site have been reported to the Idaho Department of Environmental Quality and indicate that levels of both metals are beyond what is considered safe for human consumption.

The cause for the degraded water quality is likely tied to the history of the location where mining activity first started 120 years ago. After decades of mining with little thought to reclamation, the site was left in trouble. Now, I am looking for solutions. Currently, a private entity – Midas Gold Idaho – is working to provide resources and technical ability to hopefully resolve the problems we are left with.

I understand that your team at EPA has been discussing the matter since last year and that a draft action plan is under consideration. I ask that you please see that this process is addressed with expediency.

I am hopeful that we can work together to improve and maintain Idaho's precious natural resources. Please feel free to reach out to me or my staff anytime.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Little", is written over a horizontal line.

Brad Little
Governor of Idaho

cc: Director John Tippets, Idaho Department of Environmental Quality
Idaho Congressional Delegation

Message

From: Wright, Peter [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11616A3DB06F4ECEB13EA26C7E6DC1F0-WRIGHT, PET]
Sent: 11/12/2019 12:22:22 AM
To: John C. Cruden [JCruden@bdlaw.com]
CC: Bodine, Susan [bodine.susan@epa.gov]; mbogert@midasgoldinc.com
Subject: Re: Potential US Senator Call to the Administrator

John

Thank you for the heads up.

Peter

Sent from my iPhone

On Nov 11, 2019, at 5:16 PM, John C. Cruden <JCruden@bdlaw.com> wrote:

Susan and Peter

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Warm Regards

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Principal

Beveridge
& Diamond 

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Taxi: Direct the taxi to drop you off on 12th Street NW, between Constitution and Pennsylvania Avenues, at the elevator for the Federal Triangle metro stop - this is almost exactly half way between the two avenues on 12th Street NW. Facing the building with the EPA logo and American flags, walk toward the building and take the glass door on your left hand side with the escalators going down to the metro on your right— that is the South Lobby of the William Jefferson Clinton building.

Security Procedures: A government issued photo id is required to enter the building and it is suggested you arrive 15 minutes early in order to be cleared and arrive at the meeting room on time. Upon entering the lobby, the meeting attendees will be asked to pass through security and provide a photo ID for entrance. Let the guards know that you were instructed to call 202-564-2440 for a security escort.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 6/3/2020 11:45:56 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: Midas Gold

Thanks Peter. And, of course, whoever you feel you need we'd welcome.

Ron

From: Wright, Peter <wright.peter@epa.gov>
Sent: Wednesday, June 3, 2020 7:28 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Subject: RE: Midas Gold

[EXTERNAL]

Ron

Let me check with Susan about her availability over the next couple of days. I also want to include my Deputy Steven Cook who has been working on this matter.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Wednesday, June 3, 2020 11:02 AM
To: Wright, Peter <wright.peter@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Midas Gold

Peter,

I wanted to follow-up on the below and see if there would be a chance to talk. I'm in all of this week but I'm hoping to be out next Monday/Tuesday (although I'd hope to have some open time Monday a.m.). We're also mindful that there is a limited work season in Idaho so if we are going to have any hope of moving forward on early actions under an agreed AOC during this work season we need to get to a resolution pretty quickly. Failing to do so could mean effectively losing a year on that front.

I'm sure you are juggling many balls right now but any attention you and Susan can give to this would be appreciated.

Regards,

Ron

From: Wright, Peter <wright.peter@epa.gov>
Sent: Friday, May 29, 2020 2:50 PM
To: Tenpas, Ron <rtenpas@velaw.com>

Cc: Bodine, Susan <bodine.susan@epa.gov>

Subject: RE: Midas Gold

[EXTERNAL]

Ron

We are working on this matter. I will see if we can set up a call next week.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>

Sent: Monday, May 25, 2020 4:27 PM

To: Bodine, Susan <bodine.susan@epa.gov>; Wright, Peter <wright.peter@epa.gov>

Subject: Midas Gold

Susan/Peter,

I understand based on an e-mail last week from Chris Hladick back to Midas CEO Laurel Sayer that there are consultations going on between your offices and Region 10 on the Midas Gold negotiations.

We transmitted a specific AOC RI/FS proposal to the Region, based on the model AOC, on May 12. As we have understood things, because we worked from the model, there should really be only a handful of significant "policy/major point" issues that are key here, such as the specific early actions, clearly identifying the scope of a simultaneous RI/FS, and a couple of other items. We'd like a chance to speak with you to run down what we understand the key issues are, to summarize what we have proposed, and why we think our proposal is reasonable for the Agency so you have heard from us directly as you are evaluating our proposal. We could get through this discussion, I'm sure, in less than 30 minutes. The point would be to focus on the substance of our May 12 proposal and why we think it makes sense to move this forward, and not rehash the negotiating history, which is now water under the bridge. We have made a similar offer to provide a briefing to the Region but have not heard back on that.

Would it be possible to get a short call of this sort with you?

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

[Bio](#)

[vcard](#)

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of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.

Thank You.

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/3/2020 11:27:49 PM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: Midas Gold

Ron

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Peter

From: Tenpas, Ron <rtenpas@velaw.com>
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Subject: RE: Midas Gold

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Ron

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Sent: Friday, May 29, 2020 2:50 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Midas Gold

[EXTERNAL]

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From: Tenpas, Ron <rtenpas@velaw.com>
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To: Bodine, Susan <bodine.susan@epa.gov>; Wright, Peter <wright.peter@epa.gov>

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Ronald J. Tenpas
Partner

Vinson&Elkins

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Washington, DC 20037

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Thank You.

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Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 5/29/2020 8:21:06 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Bodine, Susan [bodine.susan@epa.gov]
Subject: RE: Midas Gold

Thank you Peter. Have a good weekend.

Regards,

Ron

From: Wright, Peter <wright.peter@epa.gov>
Sent: Friday, May 29, 2020 2:50 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Midas Gold

[EXTERNAL]

Ron

We are working on this matter. I will see if we can set up a call next week.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, May 25, 2020 4:27 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Subject: Midas Gold

Susan/Peter,

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Ronald J. Tenpas
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Vinson & Elkins

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Thank You.

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 5/29/2020 6:50:07 PM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: Bodine, Susan [bodine.susan@epa.gov]
Subject: RE: Midas Gold

Ron

We are working on this matter. I will see if we can set up a call next week.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, May 25, 2020 4:27 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Subject: Midas Gold

Susan/Peter,

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Would it be possible to get a short call of this sort with you?

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Partner

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Thank You.

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
on behalf of Wright, Peter [wright.peter@epa.gov]
Sent: 7/9/2020 4:11:14 PM
To: 'rtenpas@velaw.com' [rtenpas@velaw.com]; 'John C. Cruden' [JCruden@bdlaw.com]; Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Hladick, Christopher [hladick.christopher@epa.gov]; Terada, Calvin [Terada.Calvin@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Fleming, Sheila [fleming.sheila@epa.gov]; Kowalski, Edward [Kowalski.Edward@epa.gov]; 'stephen.vaden@ogc.usda.gov' [stephen.vaden@ogc.usda.gov]; jess.byrne@deq.idaho.gov; Shiffman, Cari [Shiffman.Cari@epa.gov]; Branning, Hannah [Branning.Hannah@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

All,

One follow up note to the letter sent yesterday. Please be advised that the communication titled "*Stibnite Follow-up Letter*" signed on 7-7-20 is a Confidential Preliminary Settlement Negotiation and should be treated as such by all recipients.

Thank you.

From: Hilosky, Nick **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: 'rtenpas@velaw.com' <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Follow Up Letter Re: Stibnite Mine Site

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 7/9/2020 12:59:57 AM
To: Wright, Peter [wright.peter@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
CC: Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Hladick, Christopher [hladick.christopher@epa.gov]; Terada, Calvin [Terada.Calvin@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Fleming, Sheila [fleming.sheila@epa.gov]; Kowalski, Edward [Kowalski.Edward@epa.gov]; 'stephen.vaden@ogc.usda.gov' [stephen.vaden@ogc.usda.gov]; jess.byrne@deq.idaho.gov; Shiffman, Cari [Shiffman.Cari@epa.gov]; Branning, Hannah [Branning.Hannah@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

Nick,

Thank you. John and I wanted to confirm receipt. We'll be discussing with Midas.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson&Elkins

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W +1.202.639.6791
Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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[vcard](#)

[velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
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[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

ED_004715A_00000106-00001

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

Appointment

From: Kenely, Caroline [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9B067E015E69442B8B5B8333CA36563F-KENELY, CAROLINE]
Sent: 6/8/2020 4:42:25 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference **Ex. 6 Personal Privacy (PP)**

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CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
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Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/22/2020 6:55:59 PM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: John C. Cruden [JCruden@bdlaw.com]; Bodine, Susan [bodine.susan@epa.gov]
Subject: RE: Quick Follow Up

Ron

Thank you for the heads up.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, June 22, 2020 9:48 AM
To: Wright, Peter <wright.peter@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Quick Follow Up

Peter and Susan,

John and I wanted you to have a courtesy head's up on the following. Midas is pursuing various Executive Branch meetings to discuss its project. It is focusing on how its project aligns with the President's priorities generally but especially with the recent Executive Order related to critical industry and infrastructure, especially due to the Project's potential to produce antimony. We don't know what all that effort will generate for actual meetings but one did occur Friday with the Secretary's Office at Department of Agriculture. John and I weren't there but we understand the Department of Agriculture attendees, unprompted, inquired who it is at EPA that Midas Gold is currently most directly interfacing with. We understand that the Midas representatives indicated it was the two of you. We don't know that this meeting (or any other future meetings of this type) will generate any outreach to you from elsewhere in the Executive Branch but we did think you ought to have the courtesy of knowing your names came up in this recent meeting when the Ag officials inquired.

Regards,

Ron & John

Ronald J. Tenpas
Partner

Vinson&Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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Sent: 6/8/2020 4:42:25 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Meeting on Stibnite/Midas Gold
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End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference ID: **Ex. 6 Personal Privacy (PP)**

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Appointment

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/8/2020 2:40:11 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Meeting on Stibnite/Midas Gold
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference ID: **Ex. 6 Personal Privacy (PP)**

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

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Appointment

From: Kenely, Caroline [Kenely.Caroline@epa.gov]
Sent: 6/11/2020 11:49:52 AM
To: Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting

Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Tentative

Join Microsoft Teams Meeting

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Appointment

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/8/2020 2:40:11 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Meeting on Stibnite/Midas Gold
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Appointment

From: Kenely, Caroline [Kenely.Caroline@epa.gov]
Sent: 6/8/2020 4:42:25 PM
To: Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Meeting on Stibnite/Midas Gold
Location: Microsoft Teams Meeting

Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Tentative

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)
Conference ID: **Ex. 6 Personal Privacy (PP)**

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Appointment

From: Kenely, Caroline [Kenely.Caroline@epa.gov]
Sent: 6/8/2020 4:41:55 PM
To: Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Meeting on Stibnite/Midas Gold

Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Tentative

Appointment

From: Kenely, Caroline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9b067e015e69442b8b5b8333ca36563f-Kenely, Caroline]
Sent: 6/8/2020 4:42:25 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference ID: **Ex. 6 Personal Privacy (PP)**

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Appointment

From: Loving, Shanita [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=439CE9C2D2104080A1B5908D3402BF20-LOVING, SHANITA]
Sent: 5/7/2020 9:27:43 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Call with Ron Tenpas re: Midas Gold
Location: Ron can be reached at Ex. 6 Personal Privacy (PP)
Start: 5/8/2020 3:15:00 PM
End: 5/8/2020 3:45:00 PM
Show Time As: Busy

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 6/15/2020 11:17:59 PM
To: Wright, Peter [wright.peter@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]
CC: Cook, Steven [cook.steven@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Hall, Tayoka [Hall.Tayoka@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Midas Gold -- quick follow-up

Dear Peter and Susan,

On behalf of Midas Gold, thank you for taking time last Friday to discuss our Project. I also wanted to briefly follow up on two items that arose during our call where I may not have gotten the facts quite right or been as clear as I ought to in explaining Midas Gold's proposed approach.

First, as to the timing of getting our Project into operation on the Stibnite site, step one is to complete the NEPA process. The Forest Service is committed to release of the DEIS in the third quarter of 2020, and as best as we can project, issue an FEIS and record of decision (ROD) in late 2021.

After issuance of the ROD, and assuming no delay attributed to litigation, Midas anticipates an estimated three-year pre-mining construction schedule to begin during the summer of 2022 that would last into 2025. Thus, substantial actual revenue from mining would likely not occur until 2025 at the earliest.

The second topic I wanted to touch on briefly relates to the scope of Midas Gold's restoration efforts. In discussing the scope of the AOC and how that fit with positions Midas Gold might take in litigation, I hope I was clear but just in case I want to reiterate the following. Midas Gold is committed to the redevelopment of mineral resource at Stibnite in conjunction with site environmental restoration, including being open to restoration efforts that go beyond what Midas Gold might be legally obligated to undertake, such as restoration efforts beyond the anticipated mining project footprint. Thus, the current administrative order on consent (AOC) proposal consists of a good-faith effort – at a material cost to the Company at a time when funds are severely constrained - to improve water quality well before its plan of operations is approved and more comprehensive redevelopment and restoration gets underway.

In that overall spirit, our AOC proposal extends to characterizing areas off-Project, i.e. areas never intended to be disturbed by future Project operations and not necessary for such, including areas we believe are completely within the United States control and responsibility. In sum, we are an atypical potential AOC party because we do propose to take on more than the bare minimum. In that respect, our AOC proposal embodies what we have consistently presented to our government partners when presenting the overall Project plan, namely, that Site restoration is not an afterthought to Midas Gold. In the current context of our discussions, it is a prerequisite.

With the upcoming work season looming at the Stibnite Site, we hope you will look favorably at our proposed AOC and we look forward to hearing further from you.

Again, thank you. John and I have some understanding of the many demands you and your team face daily. We appreciate that you made time for such an extensive and substantive presentation from us.

Regards,

Ron

cc: Steven Cook
Cindy Mackey
Larry Starfield

Tayoka Hall
John Cruden

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com
W +1.202.639.6791

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Washington, DC 20037

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Thank You.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 6/3/2020 3:02:03 PM
To: Wright, Peter [wright.peter@epa.gov]
CC: Bodine, Susan [bodine.susan@epa.gov]
Subject: RE: Midas Gold

Peter,

I wanted to follow-up on the below and see if there would be a chance to talk. I'm in all of this week but I'm hoping to be out next Monday/Tuesday (although I'd hope to have some open time Monday a.m.). We're also mindful that there is a limited work season in Idaho so if we are going to have any hope of moving forward on early actions under an agreed AOC during this work season we need to get to a resolution pretty quickly. Failing to do so could mean effectively losing a year on that front.

I'm sure you are juggling many balls right now but any attention you and Susan can give to this would be appreciated.

Regards,

Ron

From: Wright, Peter <wright.peter@epa.gov>
Sent: Friday, May 29, 2020 2:50 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>
Subject: RE: Midas Gold

[EXTERNAL]

Ron

We are working on this matter. I will see if we can set up a call next week.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, May 25, 2020 4:27 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Wright, Peter <wright.peter@epa.gov>
Subject: Midas Gold

Susan/Peter,

I understand based on an e-mail last week from Chris Hladick back to Midas CEO Laurel Sayer that there are consultations going on between your offices and Region 10 on the Midas Gold negotiations.

We transmitted a specific AOC RI/FS proposal to the Region, based on the model AOC, on May 12. As we have understood things, because we worked from the model, there should really be only a handful of significant "policy/major point" issues that are key here, such as the specific early actions, clearly identifying the scope of a simultaneous RI/FS, and a couple of other items. We'd like a chance to speak with you to run down what we understand the key issues are, to summarize what we have proposed, and why we think our proposal is reasonable for the Agency

so you have heard from us directly as you are evaluating our proposal. We could get through this discussion, I'm sure, in less than 30 minutes. The point would be to focus on the substance of our May 12 proposal and why we think it makes sense to move this forward, and not rehash the negotiating history, which is now water under the bridge. We have made a similar offer to provide a briefing to the Region but have not heard back on that.

Would it be possible to get a short call of this sort with you?

Ronald J. Tenpas
Partner

Vinson&Elkins

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Thank You.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 7/2/2020 7:14:57 PM
To: Wright, Peter [wright.peter@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
CC: Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: Quick Follow Up
Attachments: ATT00001.txt

Peter,

Thanks for the update. It would be great to get the Agency's proposal and have a discussion next week as to the Agency's thinking. And Midas is definitely eager to try and move to a resolution. Time continues to be a real issue as the site is opening up for work with snow disappearing but the work season is short, as well as the general interest to make progress on the project and the AOC for the reasons we discussed.

I hope that you, Susan and Steven will get to enjoy a break over the Fourth.

Regards,

Ron

From: Wright, Peter <wright.peter@epa.gov>
Sent: Thursday, July 2, 2020 2:19 PM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Cook, Steven <cook.steven@epa.gov>
Subject: RE: Quick Follow Up

[EXTERNAL]

Ron and John;

I wanted to let you know we are making progress on a letter to you that I think will reflect the discussions we had and set forth a path for the AOC. I had hoped it would be finalized this week, but it appears that it will not be ready until next week. I will try to call first.

Under Secretary of the Department of Agriculture Hubbard's office (Natural Resources and Environment) has reached out to schedule a brief call with me next week.

I wish you and your families a very happy 4th of July weekend.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, June 22, 2020 9:48 AM
To: Wright, Peter <wright.peter@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Quick Follow Up

Peter and Susan,

John and I wanted you to have a courtesy head's up on the following. Midas is pursuing various Executive Branch meetings to discuss its project. It is focusing on how its project aligns with the President's priorities generally but especially with the recent Executive Order related to critical industry and infrastructure, especially due to the Project's potential to produce antimony. We don't know what all that effort will generate for actual meetings but one did occur Friday with the Secretary's Office at Department of Agriculture. John and I weren't there but we understand the Department of Agriculture attendees, unprompted, inquired who it is at EPA that Midas Gold is currently most directly interfacing with. We understand that the Midas representatives indicated it was the two of you. We don't know that this meeting (or any other future meetings of this type) will generate any outreach to you from elsewhere in the Executive Branch but we did think you ought to have the courtesy of knowing your names came up in this recent meeting when the Ag officials inquired.

Regards,

Ron & John

Ronald J. Tenpas

Partner



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2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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Thank You.

Message

From: Wright, Peter [wright.peter@epa.gov]
Sent: 7/2/2020 6:19:08 PM
To: Tenpas, Ron [rtenpas@velaw.com]; John C. Cruden [JCruden@bdlaw.com]
CC: Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]
Subject: RE: Quick Follow Up

Ron and John;

I wanted to let you know we are making progress on a letter to you that I think will reflect the discussions we had and set forth a path for the AOC. I had hoped it would be finalized this week, but it appears that it will not be ready until next week. I will try to call first.

Under Secretary of the Department of Agriculture Hubbard's office (Natural Resources and Environment) has reached out to schedule a brief call with me next week.

I wish you and your families a very happy 4th of July weekend.

Peter

From: Tenpas, Ron <rtenpas@velaw.com>
Sent: Monday, June 22, 2020 9:48 AM
To: Wright, Peter <wright.peter@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Quick Follow Up

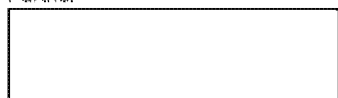
Peter and Susan,

John and I wanted you to have a courtesy head's up on the following. Midas is pursuing various Executive Branch meetings to discuss its project. It is focusing on how its project aligns with the President's priorities generally but especially with the recent Executive Order related to critical industry and infrastructure, especially due to the Project's potential to produce antimony. We don't know what all that effort will generate for actual meetings but one did occur Friday with the Secretary's Office at Department of Agriculture. John and I weren't there but we understand the Department of Agriculture attendees, unprompted, inquired who it is at EPA that Midas Gold is currently most directly interfacing with. We understand that the Midas representatives indicated it was the two of you. We don't know that this meeting (or any other future meetings of this type) will generate any outreach to you from elsewhere in the Executive Branch but we did think you ought to have the courtesy of knowing your names came up in this recent meeting when the Ag officials inquired.

Regards,

Ron & John

Ronald J. Tenpas
Partner



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Thank You.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 5/7/2020 6:17:50 PM
To: Bodine, Susan [bodine.susan@epa.gov]
Subject: Midas Gold

Susan,

I hope you are well. Strange and challenging times to be managing a major governmental unit.

I'm outside counsel for Midas and I understand you had a call yesterday with some of its management to update where things stand. We hadn't realized you would be on until the last moment or I would have joined that. Would you have a moment for a brief follow-up call with me? There were a couple of things I wanted to be sure were covered. It wouldn't take more than 10 minutes I'm sure. If you can carve out a moment I'd be grateful.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com
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Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 7/15/2020 5:09:26 PM
To: Wright, Peter [wright.peter@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

Peter/Susan/Steven,

We wanted to thank you and your teams for the work and care that went into the proposal you sent. We're very grateful for that effort and the creativity reflected in what you have proposed, including your efforts to find a framework that realistically works within the unusual challenges and opportunities the Stibnite Project presents.

Per a short call a few moments ago with Steven, this will confirm that Midas Gold is interested in pursuing the path set out in your letter and proposal for an ASAOC.

In order to facilitate moving toward such an agreement as quickly as possible, Midas Gold will prepare a draft specific ASAOC, building off the model EPA ASAOC for removal actions. Our draft will incorporate the overall approach and actions your proposal outlines. As we mentioned to Steven, there may be some small technical points that require clarification or where we may suggest some small adjustment but we anticipate those really to be the kind of specific technical points that always arise when moving from conceptual proposal to detailed agreement.

Again, thank you very much for your work and the positive step that the proposal represents.

Regards,

Ron Tenpas & John Cruden

Ronald J. Tenpas
Partner

Vinson&Elkins

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W +1.202.639.6791
Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>;

Brooks, Becky <Brooks.Becky@epa.gov>

Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 5/25/2020 8:26:58 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Wright, Peter [wright.peter@epa.gov]
Subject: Midas Gold

Susan/Peter,

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We transmitted a specific AOC RI/FS proposal to the Region, based on the model AOC, on May 12. As we have understood things, because we worked from the model, there should really be only a handful of significant "policy/major point" issues that are key here, such as the specific early actions, clearly identifying the scope of a simultaneous RI/FS, and a couple of other items. We'd like a chance to speak with you to run down what we understand the key issues are, to summarize what we have proposed, and why we think our proposal is reasonable for the Agency so you have heard from us directly as you are evaluating our proposal. We could get through this discussion, I'm sure, in less than 30 minutes. The point would be to focus on the substance of our May 12 proposal and why we think it makes sense to move this forward, and not rehash the negotiating history, which is now water under the bridge. We have made a similar offer to provide a briefing to the Region but have not heard back on that.

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Ronald J. Tenpas
Partner

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Washington, DC 20037

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Thank You.

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Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 6/22/2020 1:48:25 PM
To: Wright, Peter [wright.peter@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: Quick Follow Up

Peter and Susan,

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Regards,

Ron & John

Ronald J. Tenpas
Partner

Vinson&Elkins

E rtenpas@velaw.com
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Washington, DC 20037

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Thank You.

ED_004715A_00002587-00001

Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
on behalf of Wright, Peter [wright.peter@epa.gov]
Sent: 7/8/2020 2:32:56 PM
To: 'rtenpas@velaw.com' [rtenpas@velaw.com]; John C. Cruden [JCruden@bdlaw.com]
CC: Cook, Steven [cook.steven@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Hladick, Christopher [hladick.christopher@epa.gov]; Terada, Calvin [Terada.Calvin@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Fleming, Sheila [fleming.sheila@epa.gov]; Kowalski, Edward [Kowalski.Edward@epa.gov]; 'stephen.vaden@ogc.usda.gov' [stephen.vaden@ogc.usda.gov]; jess.byrne@deq.idaho.gov; Shiffman, Cari [Shiffman.Cari@epa.gov]; Branning, Hannah [Branning.Hannah@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: Follow Up Letter Re: Stibnite Mine Site
Attachments: Stibnite Followup Letter 7-7-20.pdf; EPAs Proposed Bridge Approach for the Stibnite Mine.pdf; Table 1 - Stibnite Source Chart.pdf

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

EPA's Proposed Bridge Approach for the Stibnite Mine with Phased Response Actions
(July 2020)

This document provides an overview of a bridge approach for Stibnite Mine with three phases of response actions. Specific sources to be addressed in each phase are provided in the attached Table 1.

Phase 1: ASAOC Early Actions – permitting & pre-mining (ASAOC Years 1-4)

- Phase 1 includes: Limited source control actions; select Mine Influenced Water (MIW) characterization studies; and plans to address select MIW sources and floodplain legacy wastes.
- Phase 1 work/projects:
 - Midas' proposed early actions: Divert surface water around three legacy mining features (Hennessy, Meadow Creek mill, DMEA)
 - EPA's proposed early actions:
 - Move approximately 300,000 tons of waste material out of Meadow Creek floodplain (portions of Keyway Marsh, Bradley dumps, and Hecla Heap Leach/Pioneer Tailings).
 - Complete baseline studies of MIW from five adit discharges: Bailey Tunnel, DMEA, Bonanza Adit, Cinnabar Tunnel, and Meadow Creek Adit.
 - Using existing Site data, develop site characterization report, data gaps analysis, and provide all existing Site data to EPA.
 - Develop implementation plans & schedules for implementing work at the 5 adits identified above & floodplain legacy wastes.

Optional Bridge Phase between Phase 1 and 2:

At the end of Phase 1 if mine permits/approvals are not obtained by Midas, the ASAOC can remain effective for up to one year, with no option for an extension, so long as ASAOC actions occur during this bridge period. The work to be performed by Midas during this year will include:

- Remove additional 200,000 tons of legacy waste from floodplain from the sources identified in Table 1.

If Midas does not obtain a permit by the end of this bridge year, the agreement will terminate.

Phase 2: At the end of Phase 1 or at the end of the Optional Bridge Phase (ASAOC Years 5-8) but only if as Midas has received the mine permits/approvals. Phase 2 work includes:

- Within thirty days of receipt of a notice of completion for Phase 1 or the Optional Bridge Phase, Midas would decide whether to address the five adits and additional legacy floodplain waste removal identified in Table 1 under CERCLA, PRO modification, or CWA permits.
- If work is continued under CERCLA, then Midas may modify and add detail, if needed, to the implementation plans and schedule for that source developed in Phase 1. Midas' proposed modifications are subject to review and approval, disapproval, or modification by the EPA and the U.S. Forest Service (USFS). EPA and the USFS will take into consideration the approved mine plan and mine operations when it determines the schedule for work performed under the CERCLA agreement.

Phase 3: Mine operations Year 5 through mine reclamation (ASAOC Years 9-20). Work in Phase 3 includes:

- For the adits and floodplain legacy waste sources that remain under CERCLA, Midas would continue to implement approved plans developed in Phase 2 to continue to address these sources.
- Midas would address any additional non-floodplain legacy source materials that remain after Phase 1 and 2 work under CERCLA or a PRO modification (see Table 1).
- Substantial work must be performed on a continual basis or the ASAOC will be terminated.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C., 20460

John Cruden
Beveridge & Diamond
1350 I Street NW
Washington, D.C. 20005

Ronald J. Tenpas
Vinson & Elkins
2200 Pennsylvania Ave NW
Suite 500 West
Washington, D.C. 20037

July 7, 2020

Dear Mr. Cruden and Mr. Tenpas:

Thank you for sharing your interests and concerns in negotiating an Administrative Settlement Agreement and Order on Consent (ASAOC) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for work to be performed at the Stibnite Mine Site (Site) to address legacy mine wastes and associated water quality issues.

Through our conversations with you, we understand that time is of the essence for Midas to reach settlement with the United States so that Midas can begin work under the settlement this field season. To this end, we have been working with EPA Region 10 to develop a path forward that facilitates necessary cleanup performed under a CERCLA ASAOC in a way that addresses all parties' interests and concerns. If Midas accepts EPA's proposed settlement terms, negotiations of an ASAOC will be conducted by the Region. We have not provided our government or Tribal partners the opportunity to review and comment on this draft proposal prior to sending this letter. We intend to solicit input from our government and Tribal partners if Midas accepts this proposal and modifications may be necessary based on such input.

EPA is prepared to pursue a phased "bridge" type of agreement that was briefly explored towards the end of our last meeting. Under this approach, EPA and Midas would enter into a CERCLA ASAOC that establishes various phases of work that would improve environmental conditions at the site within specific timeframes that can be adjusted, creating a bridge as Midas progresses into mining activities covered by approvals and permits issued by the U.S. Forest Service (USFS), U.S. Army Corps of Engineers (USACE), and the State of Idaho (Idaho).

Although EPA initially suggested a Remedial Investigation/Feasibility Study (RI/FS) for the Site, EPA believes that an RI/FS would not be beneficial to EPA at this time and would be impracticable given the changing landscape of the Site caused by the proposed mining operation. EPA believes a more appropriate cleanup will be completed by conducting the actions described below, which include

removal actions and focused baseline studies of adits at the Site pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604.

Some key elements of this Phased/Bridge proposal are as follows:

- The agreement would be designed to allow Midas to perform data collection and plan and perform removal work in phases under an ASAOC while pursuing mining related permits and approvals from USFS, USACE, and Idaho.
- Each phase of this proposed approach would set forth specific actions to be performed in specific timeframes under a CERCLA ASAOC. The cleanup work to be performed would be a series of removal activities that could be performed in three (3) phases.
- **Opt out:** Work outlined in Phase 1 would be required under the ASAOC. Under a phased bridge approach, Midas would have the option to conduct work under the subsequent phases or opt out of the agreement at the end of each phase.
- The three phases would be structured as follows:
 - **Phase 1** would begin on the effective date of the ASAOC. Phase 1 actions must be completed under the ASAOC within a specified timeframe (ASAOC Years 1-4).
 - **Optional Bridge Phase** between Phase 1 and 2:
 - At the end of Phase 1, if mine permits and approvals are not obtained by Midas, the ASAOC can remain effective for up to one year with no option for an extension so long as ASAOC actions occur during this bridge period. The work to be performed by Midas during this year will include removing additional tonnage of legacy waste from the floodplain.
 - If Midas does not obtain necessary permits and approvals by the end of this bridge year, the agreement will terminate.
 - **Phase 2** work would begin after timely completion of Phase 1, or after completion of the Optional Bridge Phase, but only if all permits and approvals for the Stibnite mine project have been issued by the end of Phase 1 or the Bridge year (ASAOC Years 5-8). Midas has the option to conduct work described under Phase 2 under the ASAOC or under a modified Plan of Restoration and Operations (PRO) or Clean Water Act (CWA) permit. The goal here is to have only one governing document (i.e., either CERCLA PRO or CWA) cover any particular work area.
 - **Phase 3** would begin when mining operations are underway and through mine reclamation (ASAOC Years 9-20). Work will need to be conducted continuously for the ASAOC to remain in place. Midas has the option to conduct work described under Phase 3 under the ASAOC or under a modified PRO or CWA permit. Same principle applies here – one governing document for each work area.
- **Termination:** The agreement will terminate if Midas does not have all necessary permits and approvals for mining at the completion of Phase 1 or bridge phase/option year.

Terms of the agreement would be based on EPA's model removal ASAOC and include the following:

- **Work to Be Performed:** The phased work would be described in an attached Statement of Work.
- **Payment of Future Response Costs:** Midas would pay EPA's future response costs related to the work which includes oversight costs and ASAOC negotiation costs.
- **Covenants Not to Sue/Contribution Protection:** The scope of the ASAOC and related covenants/contribution protection would be focused on the work to be performed and costs paid under the ASAOC. The covenants would take effect upon the effective date of the agreement and be conditioned upon completion and satisfactory performance of the work. This is consistent with the most recent ASAOC sent by Midas. There will be no covenant not to sue or contribution protection for releases or threats of releases of hazardous substances, pollutants or contaminants caused by or related to Midas' mining activities at the Site.

- **Financial Assurances:** Midas would establish a financial assurance mechanism that sets aside funds for performance of the upcoming phase of work – i.e., at the beginning of Phase 1, Midas would be responsible to set up financial assurance only for the amount required for performance of the Phase 1 work.
- **Model “permit” language:** The ASAOC would include the model permit language which cites to Section 121(e) of CERCLA.
- **Section 113(h) of CERCLA:** The ASAOC would be silent regarding the applicability of Section 113(h) of CERCLA. EPA would not make any commitments or statements regarding the U.S. position on this matter.
- **Past Costs:** The ASAOC would not address past costs. This means that Midas would not be required to pay past costs under the ASAOC and that EPA would not compromise its claims for these costs. Our rationale is that any such compromise would necessitate negotiating some level of payment from Midas and would require Department of Justice engagement. The United States will reserve its right to collect past costs from Midas.
- **Provisions Regarding Sale of Claims:** If Midas sells its claims at any time after completion of Phase 1, Midas will pay EPA from the proceeds of the sale an amount equal to the estimated cost for EPA to complete the remaining work under the phase of work that Midas is in at the time of the sale, less any sum remaining in the trust account/FA mechanism.
- **BFPP Status:** The ASAOC would be silent regarding BFPP and PRP status. This would be consistent with your suggestion that the ASAOC be agnostic regarding Midas’ BFPP status. These are legal conclusions that are best resolved by the courts.

The EPA Office of Enforcement and Compliance Assurance, Office of Land and Emergency Management, and the Region worked together on this proposal. We look forward to hearing whether Midas is interested in pursuing this path by entering into negotiations of an ASAOC with Region 10.

Sincerely,

SUSAN
BODINE
Susan Parker Bodine
Assistant Administrator
Office of Enforcement and Compliance Assurance

Digitally signed by
SUSAN BODINE
Date: 2020.07.07
16:46:42 -04'00'

Wright, Peter
Peter C. Wright
Assistant Administrator
Office of Land and Emergency Management

Digitally signed by Wright, Peter
Date: 2020.07.07 18:40:06 -04'00'

Enclosures

1. EPA’s Proposed Bridge Approach for the Stibnite Mine
2. Table 1: Stibnite Site Sources

cc: Chris Hladick
Region 10 Regional Administrator, U.S. Environmental Protection Agency

Jess D. Byrne
Deputy Director/Acting Director, Idaho Department of Environmental Quality

Steven Vaden
General Counsel, U.S. Department of Agriculture

Table 1: Stibnite Site Sources

The following table lists the source areas with their estimated annual arsenic loading, whether these sources were included in the Nez Perce lawsuit, if these areas are addressed under the Plan of Restoration and Operations (PRO, and the proposed phased actions to be included in the CERCLA ASAOC.

Source ¹	Land Status	~ Arsenic loading (lb/year) ²	Included in NP NOI ³	Included in PRO ⁴	Included in ASAOC ⁵	
					Phase	Type of Action
NW Bradley Dumps & Hennessy Creek	mixed	86	N	N	1	Midas proposed surface water diversion
Meadow Creek Mill & smelter	patented	?	N	N	1	Midas proposed surface water diversion
DMEA Waste Rock Dump, Adit and Shaft	Unpatented	9	Y	N	1	Midas proposed surface water diversion EPA proposed adit baseline data collection & develop plan and schedule to address source.
					2+	Decision point at phase 2. Further work to address adit could occur under the ASAOC or under the PRO or CWA permit. If work remains under CERCLA, work plan & schedule revised as needed (Phase 2) and adit addressed per the schedule (Phase 2 and potentially into Phase 3).
Bailey Tunnel	Patented	23	Y	N	1	EPA proposed adit baseline data collection & develop plan and schedule to address source.
					2+	Decision point at phase 2. Further work to address adit could occur under the ASAOC or under the PRO or CWA permit. If work remains under CERCLA, work plan & schedule revised as needed (Phase 2) and adit addressed per the schedule (Phase 2 and potentially into Phase 3).
Cinnabar Tunnel	Unpatented	21	Y	N	1	EPA proposed adit baseline data collection & develop plan and schedule to address source.
					2+	Decision point at phase 2. Further work to address adit could occur under the ASAOC or under the PRO or CWA permit. If work remains under CERCLA, work plan & schedule revised as needed (Phase 2) and adit addressed per the schedule (Phase 2 and potentially into Phase 3).
Bonanza Adit	Unpatented	1	Y	N	1	EPA proposed adit baseline data collection & develop plan and schedule to address source.
					2+	Decision point at phase 2. Further work to address adit could occur under the ASAOC or under the PRO or CWA permit. If work remains under CERCLA, work plan & schedule revised as needed (Phase 2) and adit addressed per the schedule (Phase 2 and potentially into Phase 3).
Meadow Creek Adit Seep	Patented	6	Y	N	1	EPA proposed adit baseline data collection & develop plan and schedule to address source.
					2+	Decision point at phase 2. Further work to address adit could occur under the ASAOC or under the PRO or CWA permit. If work remains under CERCLA, work plan & schedule revised as needed (Phase 2) and adit addressed per the schedule (Phase 2 and potentially into Phase 3).
Keyway Marsh	Mixed	?	N	Y	1	Part of EPA proposed early removal of 300,000 tons of waste from floodplain, which could include material from Keyway Marsh. No work under the ASAOC beyond phase 2 since reprocessing and reuse included in PRO.

Source ¹	Land Status	~ Arsenic loading (lb/year) ²	Included in NP NOI ³	Included in PRO ⁴	Included in ASAOC ⁵	
					Phase	Type of Action
					bridge	Could be part of additional removal of 200,000 tons of legacy floodplain wastes during optional bridge phase.
Bradley Mancamp Dumps	Unpatented	20	N	N	1	Part of EPA proposed early removal of 300,000 tons of waste from floodplain, which could include material from Bradley Mancamp Dumps. Phase 1 also includes developing a plan and schedule to address source.
					bridge	Could be part of additional removal of 200,000 tons of legacy floodplain wastes during optional bridge phase.
					2	Decision point at phase 2. Further work to address remaining floodplain legacy wastes could occur under ASAOC or under the PRO. If work remains under CERCLA, implementation plan & schedule revised as needed (Phase 2) and waste addressed per the schedule (Phase 2 and potentially into Phase 3).
					3	Decision point at phase 3. Work to address non-floodplain legacy wastes could occur under ASAOC or under the PRO. If work remains under CERCLA, work plan & schedule developed and waste addressed per the schedule.
Bradley NE Oxide Dumps	mixed	8	N	N	1	Part of EPA proposed early removal of 300,000 tons of waste from floodplain, which could include material from Bradley NE Oxide Dumps. Phase 1 also includes developing a plan and schedule to address source.
					bridge	Could be part of additional removal of 200,000 tons of legacy floodplain wastes during optional bridge phase.
					2	Decision point at phase 2. Further work to address remaining floodplain legacy wastes could occur under ASAOC or under the PRO. If work remains under CERCLA, implementation plan & schedule revised as needed (Phase 2) and waste addressed per the schedule (Phase 2 and potentially into Phase 3).
					3	Decision point at phase 3. Work to address non-floodplain legacy wastes could occur under ASAOC or under the PRO. If work remains under CERCLA, work plan & schedule developed and waste addressed per the schedule.
SODA and Bradley Tailings	mixed	28	Y	Y	1	Part of EPA proposed early removal of 300,000 tons of waste from floodplain, which could include material from the SODA and Bradley Tailings. No work under the ASAOC beyond phase 2 since reprocessing and reuse included in PRO.
					bridge	Could be part of additional removal of 200,000 tons of legacy floodplain wastes during optional bridge phase.
Hecla Heap leach & Pioneer tailings (Hangar Flats Tailings)	mixed	61	Y	Y in part	1	Part of EPA proposed early removal of 300,000 tons of waste from floodplain, which could include material from Hecla Heap Leach (Hangar Flats Tailings). Phase 1 also includes developing a plan and schedule to address source.
					bridge	Could be part of additional removal of 200,000 tons of legacy floodplain wastes during optional bridge phase.
					2	Decision point at phase 2. Further work to address remaining floodplain legacy wastes could occur under ASAOC or under the PRO. If work remains under CERCLA, implementation plan & schedule revised as needed

Source ¹	Land Status	~ Arsenic loading (lb/year) ²	Included in NP NOI ³	Included in PRO ⁴	Included in ASAO ⁵	
					Phase	Type of Action
						(Phase 2) and waste addressed per the schedule (Phase 2 and potentially into Phase 3).
					3	Decision point at phase 3. Work to address non-floodplain legacy wastes could occur under ASAO or under the PRO. If work remains under CERCLA, work plan & schedule developed and waste addressed per the schedule.
Yellow Pine Pit Lake	Patented	1040	Y	Y	NA	Not included in ASAO since included in PRO.

Footnotes:

1. Sources include legacy areas included in the NP NOI, Midas and EPA proposed early actions, and PRO and represent the highest sources of arsenic loading to surface waters at the site.
2. Estimates of arsenic loading from SRK, 2017, Existing Conditions Site-Wide Water Chemistry (SWWC) Memo, November 22, 2017 memo to Piper Goessel, USFS, p. 46.
3. Alleged point sources in the Nez Perce CWA notice of intent.
4. Table identifies sources that are included in Midas' Plan of Restoration and Operations (2016). The PRO is currently subject to NEPA review and some aspects of the PRO may be subject to change. USFS estimated date for its NEPA ROD is fall 2021
5. Below is approximate timing for ASAO phases, assuming that the ASAO is signed in 2020.

ASAO Phase	AOC Years	Calendar years	Mining Schedule under PRO
1	1 - 4	2020 - 2024	Mine permitting & construction (if approvals & permits received)
Bridge	5	2025	Bridge phase if permits are not received by end of Phase 1
2	Receipt of mine permits & approvals through mine year 4	2024/2025 to 2028/2029	Mine construction, dewatering Yellow Pine Pit, mine operations
3	Mine operations year 5 through mine reclamation	2028/2029 to 2040	Mine operations and early reclamation

Message

From: cook.steven@epa.gov [cook.steven@epa.gov]
Sent: 7/15/2020 11:52:44 AM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

Ron -

You can just call me at Ex. 6 Personal Privacy (PP)

Steven

Sent from my iPhone

On Jul 14, 2020, at 11:18 PM, Tenpas, Ron <rtenpas@velaw.com> wrote:

Steven,

Thanks for the quick follow-up. I think 11:30 would work for us. You won't need a technical expert – nothing we have to discuss will be in the weeds as that.

Would it be best for John and I to call you or would you prefer a dial-in? We can make either work.

Ron

From: Cook, Steven <cook.steven@epa.gov>
Sent: Tuesday, July 14, 2020 9:14 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Ron -

No problem. I have a few slots tomorrow available 11:30. 1:15, 2:15 and 4 pm and possible some others if these don't work. Is there a technical expert I should have join the call?

Look forward to the conversation.

Steven

Sent from my iPhone

On Jul 14, 2020, at 4:27 PM, Tenpas, Ron <rtenpas@velaw.com> wrote:

Steve,

Would you be available for a short call, no more than fifteen minutes I assure you, where we can provide feedback and general reactions? I don't think we need a large team call from either side as overall we think we have a positive response albeit with one or two things that we wanted to flag for you on our overall reactions.

Obviously we've been stressing speed being an important element here due to the work season and other considerations so John and I will do all we can to juggle our schedules to speak with you as soon as you are able.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson&Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter

Sent: Wednesday, July 8, 2020 10:33 AM

To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>

Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>;

Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>;

Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher

<hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup,

Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski,

Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov'

<stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari

<Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks,

Becky <Brooks.Becky@epa.gov>

Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

ED_004715A_00006799-00002

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

Message

From: cook.steven@epa.gov [cook.steven@epa.gov]
Sent: 7/15/2020 1:13:42 AM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

Ron -

No problem. I have a few slots tomorrow available 11:30, 1:15, 2:15 and 4 pm and possible some others if these don't work. Is there a technical expert I should have join the call?

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Steven

Sent from my iPhone

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Obviously we've been stressing speed being an important element here due to the work season and other considerations so John and I will do all we can to juggle our schedules to speak with you as soon as you are able.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson&Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

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From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
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mobile: 202-368-0724

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Thank You.

Appointment

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/8/2020 2:40:11 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference ID: **Ex. 6 Personal Privacy (PP)**

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By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Message

From: John C. Cruden [JCruden@bdlaw.com]
Sent: 7/15/2020 2:12:46 PM
To: Cook, Steven [cook.steven@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

Steve. Thankyou for doing this. Will call in at 1130. John

From: Cook, Steven <cook.steven@epa.gov>
Sent: Wednesday, July 15, 2020 7:52 AM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

Ron -

You can just call me at Ex. 6 Personal Privacy (PP)

Steven

Sent from my iPhone

On Jul 14, 2020, at 11:18 PM, Tenpas, Ron <rtenpas@velaw.com> wrote:

Steven,

Thanks for the quick follow-up. I think 11:30 would work for us. You won't need a technical expert – nothing we have to discuss will be in the weeds as that.

Would it be best for John and I to call you or would you prefer a dial-in? We can make either work.

Ron

From: Cook, Steven <cook.steven@epa.gov>
Sent: Tuesday, July 14, 2020 9:14 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Ron -

No problem. I have a few slots tomorrow available 11:30. 1:15, 2:15 and 4 pm and possible some others if these don't work. Is there a technical expert I should have join the call?

Look forward to the conversation.

Steven

Sent from my iPhone

On Jul 14, 2020, at 4:27 PM, Tenpas, Ron <rtenpas@velaw.com> wrote:

Steve,

Would you be available for a short call, no more than fifteen minutes I assure you, where we can provide feedback and general reactions? I don't think we need a large team call from either side as overall we think we have a positive response albeit with one or two things that we wanted to flag for you on our overall reactions.

Obviously we've been stressing speed being an important element here due to the work season and other considerations so John and I will do all we can to juggle our schedules to speak with you as soon as you are able.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com	Vinson & Elkins LLP
W +1.202.639.6791	2200 Pennsylvania Avenue NW
	Suite 500 West
	Washington, DC 20037

[bio](#) | [vcard](#) | [velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter

Sent: Wednesday, July 8, 2020 10:33 AM

To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>

Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 7/15/2020 4:17:36 AM
To: Cook, Steven [cook.steven@epa.gov]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

Steven,

Thanks for the quick follow-up. I think 11:30 would work for us. You won't need a technical expert – nothing we have to discuss will be in the weeds as that.

Would it be best for John and I to call you or would you prefer a dial-in? We can make either work.

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From: Cook, Steven <cook.steven@epa.gov>
Sent: Tuesday, July 14, 2020 9:14 PM
To: Tenpas, Ron <rtenpas@velaw.com>
Cc: John C. Cruden <JCruden@bdlaw.com>
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Ron -

No problem. I have a few slots tomorrow available 11:30, 1:15, 2:15 and 4 pm and possible some others if these don't work. Is there a technical expert I should have join the call?

Look forward to the conversation.

Steven

Sent from my iPhone

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Regards,

Ron

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

[bio](#)

[vcard](#)

[velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter

Sent: Wednesday, July 8, 2020 10:33 AM

To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>

Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>

Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

.....

Message

From: Tenpas, Ron [rtenpas@velaw.com]
Sent: 7/14/2020 9:27:45 PM
To: Cook, Steven [cook.steven@epa.gov]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: FW: Follow Up Letter Re: Stibnite Mine Site

Steve,

Would you be available for a short call, no more than fifteen minutes I assure you, where we can provide feedback and general reactions? I don't think we need a large team call from either side as overall we think we have a positive response albeit with one or two things that we wanted to flag for you on our overall reactions.

Obviously we've been stressing speed being an important element here due to the work season and other considerations so John and I will do all we can to juggle our schedules to speak with you as soon as you are able.

Regards,

Ron

Ronald J. Tenpas
Partner

Vinson&Elkins

E rtenpas@velaw.com
W +1.202.639.6791
Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

[bio](#) | [vcard](#) | [velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

ED_004715A_00007784-00001

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
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Thank You.

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/15/2020 11:52:45 AM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

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You can just call me at Ex. 6 Personal Privacy (PP)

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Sent from my iPhone

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Subject: Re: Follow Up Letter Re: Stibnite Mine Site

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Ron

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com	Vinson & Elkins LLP
W +1.202.639.6791	2200 Pennsylvania Avenue NW
	Suite 500 West
	Washington, DC 20037

[bio](#) | [vcard](#) | [velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>;
Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>;
Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher
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Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov'
<stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari
<Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks,
Becky <Brooks.Becky@epa.gov>
Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
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Thank You.

Message

From: Cook, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=394F5DEDE6184BC083CF9390E49A192C-COOK, STEVE]
Sent: 7/15/2020 1:13:47 AM
To: Tenpas, Ron [rtenpas@velaw.com]
CC: John C. Cruden [JCruden@bdlaw.com]
Subject: Re: Follow Up Letter Re: Stibnite Mine Site

Ron -

No problem. I have a few slots tomorrow available 11:30, 1:15, 2:15 and 4 pm and possible some others if these don't work. Is there a technical expert I should have join the call?

Look forward to the conversation.

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Sent from my iPhone

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Regards,

Ron

Ronald J. Tenpas
Partner

Vinson & Elkins

E rtenpas@velaw.com
W +1.202.639.6791

Vinson & Elkins LLP
2200 Pennsylvania Avenue NW
Suite 500 West
Washington, DC 20037

[bio](#)

[ycard](#)

[velaw.com](#)

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: Tenpas, Ron <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Follow Up Letter Re: Stibnite Mine Site

[EXTERNAL]

Dear Mr. Cruden and Mr. Tenpas:

On behalf of Peter Wright and Susan Bodine, please see the attached letter and enclosures re: the Stibnite Mine Site.

Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

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Thank You.

Appointment

From: Wright, Peter [wright.peter@epa.gov]
Sent: 6/11/2020 4:41:44 PM
To: Wright, Peter [wright.peter@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Tentative

Cyndy, **Ex. 6 Personal Privacy (PP)** May I have Bruce cover this for me?

-----Original Appointment-----

From: Wright, Peter <wright.peter@epa.gov>
Sent: Thursday, June 11, 2020 12:42 PM
To: Wright, Peter; Cook, Steven; Bodine, Susan; Tenpas, Ron; Mackey, Cyndy; Starfield, Lawrence; Patterson, Kenneth
Cc: Hall, Tayoka; Brooks, Becky; Hilosky, Nick; John C. Cruden
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
When: Friday, June 12, 2020 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference **Ex. 6 Personal Privacy (PP)**

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Appointment

From: Kenely, Caroline [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9B067E015E69442B8B5B8333CA36563F-KENELY, CAROLINE]
Sent: 6/8/2020 2:40:10 PM
To: Wright, Peter [wright.peter@epa.gov]; Steven Cook (cook.steven@epa.gov) [cook.steven@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Tenpas, Ron [rtenpas@velaw.com]; Mackey, Cyndy [Mackey.Cyndy@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]; Patterson, Kenneth [Patterson.Kenneth@epa.gov]
CC: Hall, Tayoka [Hall.Tayoka@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; John C. Cruden [JCruden@bdlaw.com]
Subject: Meeting on Stibnite/Midas Gold with Ron Tenpas
Location: Microsoft Teams Meeting
Start: 6/12/2020 2:00:00 PM
End: 6/12/2020 2:30:00 PM
Show Time As: Busy

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP) United States, Washington DC (Toll)

Conference ID: Ex. 6 Personal Privacy (PP)

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

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Message

From: John C. Cruden [JCruden@bdlaw.com]
Sent: 7/10/2020 9:47:46 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

Thanks Peter. Will comply. Also, we appreciate the thought and time that went into the letter. John

John C. Cruden
Principal

BEVERIDGE & DIAMOND PC
O +1.202.789.6018 ~ M +1. ~ JCruden@bdlaw.com

From: Hilosky, Nick <Hilosky.Nick@epa.gov> **On Behalf Of** Wright, Peter
Sent: Thursday, July 9, 2020 12:11 PM
To: 'rtenpas@velaw.com' <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>; Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: Follow Up Letter Re: Stibnite Mine Site

All,
One follow up note to the letter sent yesterday. Please be advised that the communication titled "*Stibnite Follow-up Letter*" signed on 7-7-20 is a Confidential Preliminary Settlement Negotiation and should be treated as such by all recipients.

Thank you.

From: Hilosky, Nick **On Behalf Of** Wright, Peter
Sent: Wednesday, July 8, 2020 10:33 AM
To: 'rtenpas@velaw.com' <rtenpas@velaw.com>; John C. Cruden <JCruden@bdlaw.com>
Cc: Cook, Steven <cook.steven@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Terada, Calvin <Terada.Calvin@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>; 'stephen.vaden@ogc.usda.gov' <stephen.vaden@ogc.usda.gov>; jess.byrne@deq.idaho.gov; Shiffman, Cari <Shiffman.Cari@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
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Dear Mr. Cruden and Mr. Tenpas:

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Regards,

Nicholas J. Hilosky
Acting Chief of Staff
Office of Land and Emergency Management
US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
ph: 202-566-1942; fax: 202-566-0207
mobile: 202-368-0724

Message

From: John C. Cruden [JCruden@bdlaw.com]
Sent: 6/22/2020 6:56:08 PM
To: Wright, Peter [wright.peter@epa.gov]
Subject: Automatic reply: Quick Follow Up

I am out of the office this afternoon **Ex. 6 Personal Privacy (PP)** Will return by 7 pm.